



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

June 3, 2010

The Honorable Charles E. Schumer
Chairman
Subcommittee on Immigration, Border Security
and Refugees
United States Senate
313 Hart Senate Office Building
Washington, DC 20510

Re: Correspondence on Border Security

Dear Senator Schumer:

I appreciate your interest in helping us secure our border and recognizing my duty as Governor to address the public security concerns of Arizonans.

Arizona's border regions, extending into metropolitan Phoenix and Tucson, have become increasingly lawless because the federal government has not effectively controlled our international border and enforced its immigration laws. The federal government's policy of securing the border in the El Paso and San Diego areas has turned Arizona into the superhighway of illegal drug and human smuggling activity. The City of Phoenix has earned the dubious distinction of being the kidnapping capital of the United States, ranking only second behind Mexico City in the world. Busts of drop houses, where illegal immigrants are often held for ransom and otherwise severely abused, are not uncommon occurrences in some Arizona neighborhoods.

Given these circumstances, I am sure you can understand that waiting a year or more based on another federal promise of getting serious this time is not an option for Arizona. As has been said here, calling for comprehensive immigration reform before securing the border is like asking for

The Honorable Charles E. Schumer

June 3, 2010

Page 2

comprehensive energy policy reform before stopping the oil leak in the Gulf of Mexico.

Here is my diagnosis of the problem and the way forward. Congress and successive Administrations (both Republican and Democrat) have lost all credibility with the American people, and Arizonans in particular, regarding border security and interior enforcement of federal immigration laws.

Unfortunately, I understand that the consensus in Washington D.C. is that nothing will be done legislatively on immigration this year and any promises of action for the rest of the year are part of some national political strategy. Neither side of the immigration debate will be fooled by that strategy. This non-action will only build the sense of alienation that Americans feel toward a federal government that won't solve problems that affect their everyday lives. It will be more of the same "promise something, do nothing, blame someone" political spin from Washington.

How do you build credibility on immigration issues? You need to show that the federal government can do something immediately to address border security and restore interior enforcement. We do not need new federal laws, but rather action by President Obama and sufficient funding from the Congress to secure the border and enforce our current laws.

The action taken must also be significant. To that end, I would propose that the federal government adopt a "surge" strategy. The Border Surge would continue until the border is secured as demonstrated by facts on the ground and integrity is restored to our interior immigration enforcement. Thereafter, the federal government would need to keep the resources necessary on the ground to maintain a secure border and enforce its immigration laws.

What would the federal Border Surge consist of? A good place to start would be the Border Security Plan that I announced in April and the multiple requests I have sent to President Obama and his administration regarding

The Honorable Charles E. Schumer

June 3, 2010

Page 3

specific, immediate actions that should be taken. I have attached those for your review.

In addition, I ask you to give another look at the ten-point border security proposal by Senators McCain and Kyl. It is based, in part, on the border security plan of the Arizona Cattlemen's Association developed in reaction to their everyday experiences of living and working on the border and in tribute to their fellow member, the late Robert Krentz, who was killed on his ranch earlier this year.

In summary, I would highlight the following four categories of actions that would prove very helpful to the State of Arizona in the proposed Border Surge:

1. Send the National Guard troops back to the border and increase the number of Border Patrol agents. The bi-partisan group of border governors requested the redeployment of the National Guard over a year ago. Then-Arizona Governor Janet Napolitano believed the National Guard was very helpful on the border under Operation Jump Start and unsuccessfully fought the Bush Administration when they were removed. Border governors renewed their joint request in April of this year. A particular need that has been identified is for more aerial support. My border security plan announced last month has redeployed Arizona's very limited aerial resources to the border regions, and I have asked for additional support. I am happy to hear the President recently recognize that our border challenges require a National Guard response. However, I am not satisfied with the lack of specifics in his proposal. I hope to hear more when I meet with him today.

2. Complete a real border fence. The President's proposed budget provides no funds for completion of the border fence. Arizona's problem was caused in large part by the federal strategy of building a border fence only in the El Paso and San Diego areas in the 1990s. The construction and

The Honorable Charles E. Schumer

June 3, 2010

Page 4

continual repair of a secure, and complete, border fence has to be part of the solution. The State of Arizona stands ready to assist in this effort. We have state prisons near the border and will supply inmate labor to build these fences in a cost-effective manner.

3. Fund federal agencies to be able to enforce current immigration laws. The McCain-Kyl Plan has a whole series of proposals to increase resources to under-manned and under-coordinated federal agencies. These proposals include funding additional Border Patrol stations in the Tucson Sector, increasing aerial assets along the border, and improving real-time radio/electronic communications capability among the different federal agencies and with state and local law enforcement agencies. Congress should also ensure adequate funding is appropriated to meet detention, processing, prosecution and other costs that result from a legitimate commitment to securing the border and enforcing federal immigration laws.

4. Reimburse Border States for costs related to the federal government's failure to secure the border. For example, Congress has failed to reimburse the States and localities for their costs of incarcerating criminal aliens under the existing State Criminal Alien Assistance Program. The State of Arizona and localities spend upwards of \$150 million *per year* for criminal aliens in our prisons and jails. Another example is the burden on our county sheriffs dealing with all this drug and human smuggling activity. The federal government should fully fund the existing Operation Stonegarden, a program that provides funding to border law enforcement agencies. Senators McCain and Kyl have proposed increasing federal funding by \$40 million for a total of \$100 million.

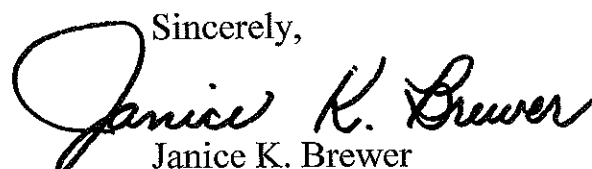
As you know, problems do not wait for when it is politically convenient to address them. When I assumed office over a year ago, Arizona faced the worst budget deficit in the nation on a per capita basis. I proposed, and the Arizona Legislature passed, a budget that made many painful cuts. The State of Arizona has reduced its workforce by over 10 percent and cut over \$2 billion out of roughly a \$10 billion budget. State employees, including

The Honorable Charles E. Schumer
June 3, 2010
Page 5

myself, are taking a 5% pay cut to balance the state budget. And on May 18, Arizona voters overwhelmingly approved increasing the state sales tax by 1% for three years to support education, public safety and health needs.

Arizonans, and I believe all Americans, expect their leaders to make the tough calls whether on the budget or on securing our border. If the federal government won't secure the border, the State of Arizona will step in to complement federal efforts in a constitutional manner and protect the security of its citizens.

I believe the Border Surge strategy is the only way forward. Everyone agrees that our border is broken. Let's do something. I sincerely desire to work with the Arizona delegation, you and your colleagues in Congress and the Obama administration on this strategy.

Sincerely,

Janice K. Brewer
Governor

Enclosures

cc: Arizona Congressional Delegation



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

May 20, 2010

The Honorable Barack Obama
The President of the United States of America
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President

As I have mentioned in previous correspondence to your Administration and in my Border Security Plan that I announced on April 22, 2010 (all attached), National Guard support is an essential component to securing the Southern Border of our country. My letter today is the aviation supplement to my earlier plans as well as a brief follow-up regarding my Joint Counter Narco-Terrorism Task Force proposal and my support for the plan offered by Senators Kyl and McCain.

1. Increase National Guard Helicopter Assets in Arizona to Support Border Security and Counter-Drug Law Enforcement Missions.

Arizona currently has only four OH-58 Kiowa helicopters available for border missions (9 are reserved for national training activities). These helicopters are extremely valuable assets in supporting law enforcement efforts on the ground. The number available, though, is inadequate to provide the kind of support needed on the Arizona border. (Note: The Arizona National Guard has other rotary aircraft—mainly UH-60 Blackhawks—but the vast majority of them are currently deployed overseas. After discussing this matter with experts, these Blackhawks are great aircraft that can perform vital military and emergency management missions, but are just not as useful as the OH-58 Kiowas in the border security/counter-drug mission.)

As I have examined the current locations of OH-58s in the National Guard, it seems reasonable to ask that serious consideration be given to reallocating at least some OH-58s to the Border States (see attached map). I recognize the concept of reallocation creates significant concerns among states. As a Governor, I understand the desire to hold on to personnel, equipment and funding. On the other hand, I believe I must be objective when national priorities are under consideration. In the case of Arizona, despite my obvious bias, I believe that there are legitimate national interests in my request to beef up aviation assets to supplement current Custom and Border Protection capabilities. Since all OH-58s

will eventually be replaced by the new LUH-72 Lakota; I would like to insure that the fielding plan for the LUH-72s account for replacing not just our current fleet of OH-58s but all additional OH-58s allocated to Arizona.

To be clear, my intention is to raise the matter not just for Arizona, but also for the other three Southwestern Border States. While the focus of this letter is Arizona, there should be consideration given to enhancing aerial reconnaissance and observation along the whole US-Mexico border. This increased effort could be coordinated with federal, state and local law enforcement to ensure maximum value of these air operations.

In the short run, you may wish to consider using, for border efforts, some of the OH-58s located in Arizona that are currently dedicated to training. Alternatively, another short-term solution could be to direct non-Southwestern Border States with OH-58s to deploy to Arizona for short duration mission support until permanent dedicated aircraft and funding could be allocated to Arizona.

In the longer term, we would hope that additional aircraft, pilots and funding could be allocated to Arizona. An Arizona OH-58 fleet of 8-10 dedicated aircraft would enable us to double our border coverage to 2,000 hours per year. To be effective, these additional aircraft must be equipped for day and night operations.

2. Use of Unmanned Aerial Vehicles (UAVs)

I would also ask you, as overseas operations in Iraq and Afghanistan permit, to consider the wider deployment of UAVs along our nation's southern border. I am aware of how effective these assets have become in Operations Iraqi and Enduring Freedom, and it seems UAV operations would be ideal for border security and counter-drug missions.

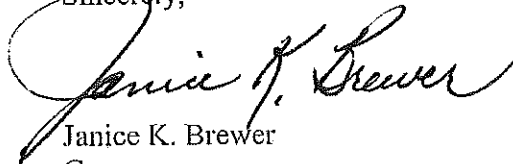
3. Joint Counter Narco-Terrorism Task Force (JCNTF) Request Follow-Up

Please let me know if my staff or I can answer any questions you may have regarding my April 6, 2010 letter reaffirming my request for additional JCNTF funding for Arizona. I am also happy to discuss the steps I have taken or am attempting to take with current JCNTF personnel/assets as well as with Arizona Army and Air National Guard training. Finally, I have expressed support for the border security plan unveiled by Senators McCain and Kyl, including their call for 3,000 National Guard troops to be deployed along the Arizona-Mexico border. As I have said in numerous situations, major resource commitments regarding border security are federal, not state, obligations. I appreciate that Arizona's U.S. Senators are approaching the matter this way, and are also proposing a transitional military role while federal law enforcement resources along the border can be further expanded.

President Obama
May 20, 2010
Page 3

I appreciate your attention to these matters and I hope you will be supportive. Additional aviation assets would be a tremendous force-multiplier for our federal, state and local law enforcement efforts focused on border security and counter-drug operations. Further, approval of the additional resources/actions requested under my border security plan as well as the McCain/Kyl plan would be greatly appreciated.

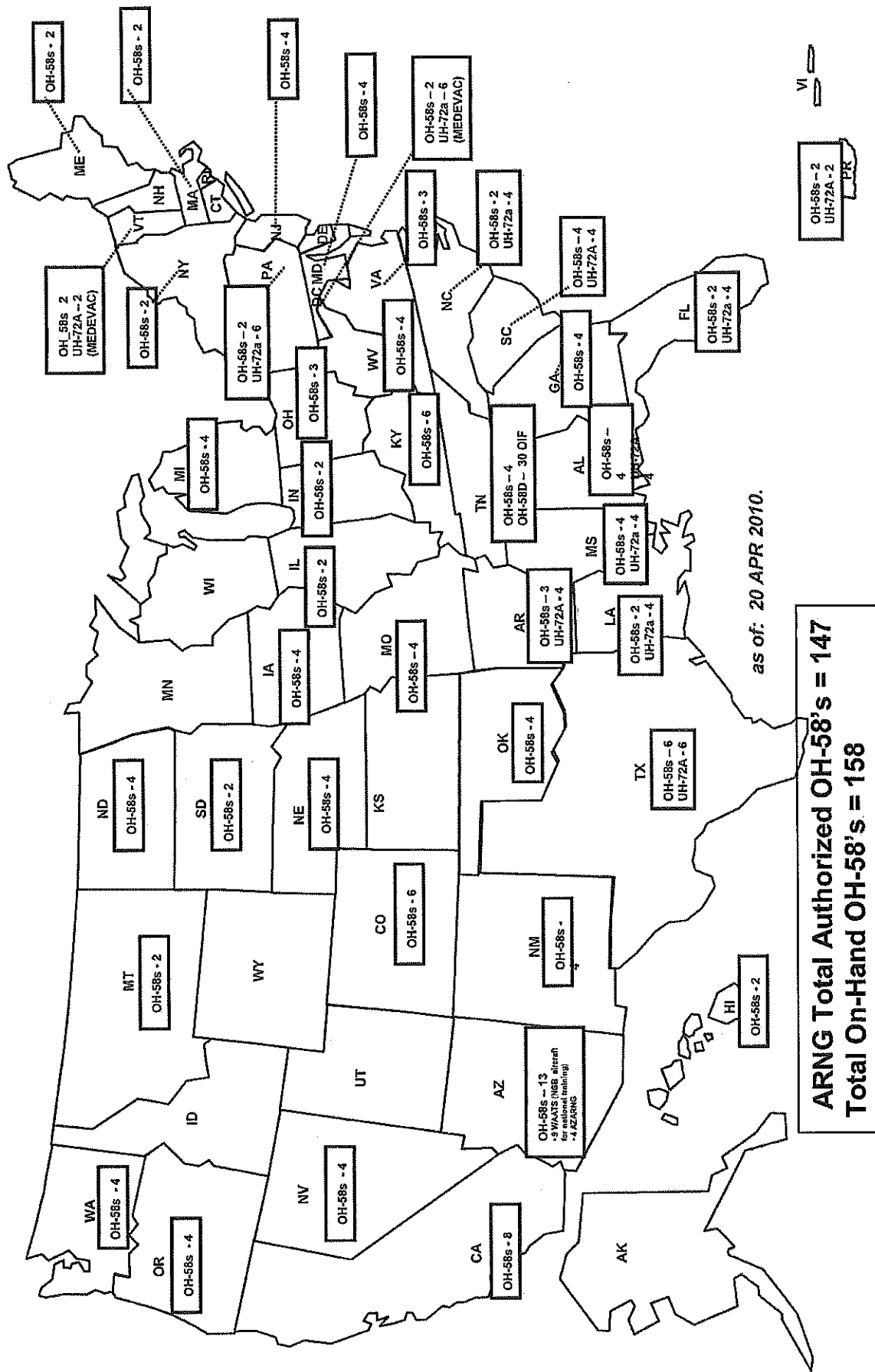
Sincerely,

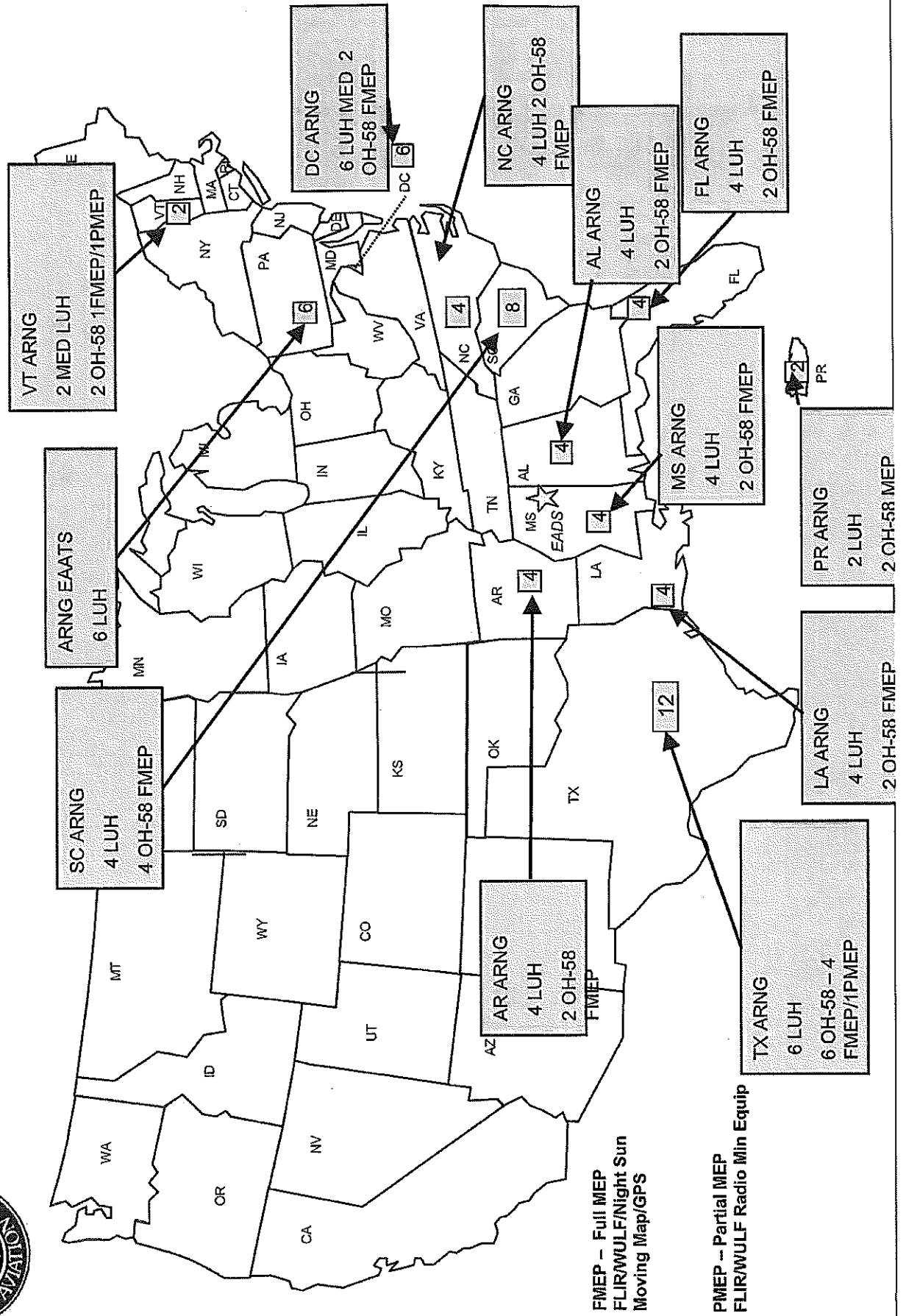


Janice K. Brewer
Governor

Attachments

ARNG OH-58 On Hand / Authorized







ARNG UH-72A Fielding Schedule

UH-72 MEP Fielding

FY08 12	FY09 28	FY10 16	FY11 32	FY12 36	FY13 32	FY14 28	FY15 16
MS(4) ★ LA(4) ★ FL (2) ★ EAATS(2) ★	FL(2) ★ NC(4) ★ EAATS(4) ★ DC (6) ★ VT(2) ★ TX (6) ★ PR (2) ★ AR (2) ★	AR (2) ★ AL (4) ★ SC(4) ★ TN (2) VA(4)	EAATS (2) GA (4) TN (2) MS(4) LA (4) CO(4) NV (2) CA(2) SD(4) ID(2) WI(2)	PR(2) AR(4) VI (2) NE (4) OH (4) CA (6) HI(2) MD(4) DC(2) NY(2) ND(4)	OR(4) NE (4) IA(4) NM(4) OK(4) MI(4) SD(2) UT (2) MO(4)	IL(4) WV(4) PA(2) ME (2) KY(6) IN(2) NJ(4) MA(2) VT (2)	AZ(4) NV(4) WA(6) MT(2)
S&S COs				S&S COs (MEDEVAC)			
EAATS							

Authorization Level

Aircraft fielded in each FY based on 24 OCT 08 Army Plan
 Looking to expand the AATS mission capability in FY 12—up to 10 aircraft

192 MTOE

8 EAATS

★ Fielding Completed



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

March 11, 2009

The Honorable Robert M. Gates
Secretary, U.S. Department of Defense
1000 Defense Pentagon, Room 3E880
Washington, DC 20301-1000

Dear Secretary Gates:

After considering a variety of options, I write this letter to ask for increased military presence on the border with Mexico. Specifically, I believe an increase of approximately 250 National Guard soldiers under the mandate and control of the Joint Counter Narcoterrorism Task Force (JCNTF) using federal Title 32, Section 112 funding would be the optimum step at this time.

As you are aware, Arizona and other U.S./Mexico border states continue to be confronted by a number of unique and/or disproportionate challenges relative to other states. We bear significant unreimbursed costs in the public, non-profit and business sectors associated with border-related challenges. Our communities are negatively affected by the impacts of illegal drug trade and illegal immigration, and enforcement agencies in all jurisdictions are stretched way too thin trying to address the enormity of the problems.

I believe that supplementing the existing JCNTF personnel to bring the total to approximately 400 Army and Air National Guard soldiers and airmen makes the most sense at this time. The support these additional soldiers can provide to law enforcement agency operations would prove invaluable. While I am extremely sensitive to the demand on our Guard, Reserve and Active Duty forces associated with operations in Iraq and Afghanistan, I believe the personnel count I am proposing and the JCNTF method I am requesting is appropriate and workable. I am open to higher troop strength numbers, however, I want to ensure we can effectively deploy more than 250 additional personnel and that the missions to which such additional personnel will be assigned are both meaningful and valuable.

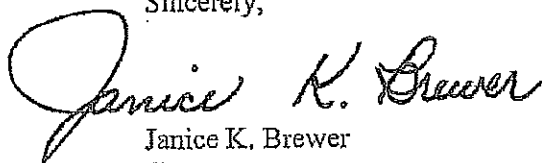
I will not use your time to summarize the current and possible duties/roles of National Guard personnel working within the JCNTF - I know you and your Pentagon Staff are familiar. I will emphasize, however, that Arizona on its own cannot and should not face the prospect of sustaining additional forces to address this federal matter. Additional support provided pursuant to Title 32 of the United States Code for National Guard activities along the border is both a lawful, justified and prudent step to take at this time.

Secretary Gates
March 11, 2009
Page 2

Before closing, I want to add that I am taking some time to examine whether our National Guard forces are fully equipped to meet the greater demands associated with an increased JCNTF commitment. Specifically, our aerial reconnaissance assets seem limited to meet the challenges posed by our nearly 400-mile long border with Mexico. Before making any requests of you, I want to study the matter further. I did, though, want to bring the matter to your attention since my first reaction was that we did not have the right quantity of air assets to most effectively address border threats.

Thank you in advance for an expedited review of this request. I certainly hope to be adding additional thanks in what I hope will be a positive response to this correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer". The signature is written in dark ink and is positioned above the printed name and title.

Janice K. Brewer
Governor

JB:bcm

cc: The Honorable Janet Napolitano, Secretary, Department of Homeland Security



State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

FOR IMMEDIATE RELEASE
March 24, 2009

CONTACT: Paul Senseman
(602) 542-1342
psenseman@az.gov

Statement by Governor Jan Brewer

Phoenix – “The State of Arizona is grateful for President Obama’s and Secretary Napolitano’s action and acknowledgment of the increased threat of cartel violence and kidnappings.

“My recent request to the federal government to increase National Guard support of Customs/Border Patrol primary mission at the US-Mexico border could substantially augment the Obama Administration’s important initiative to improve security. And while shifting and redeploying current and existing resources is a good first step, it is more important that Border States, local law enforcement, and tribal law enforcement receive a surge in additional federal funding and additional resources to respond to the clearly increased threat of violence and kidnappings. I am also hopeful that as today’s resource shift is implemented, that additional measures are undertaken to ensure that areas losing current officers or funding are not stretched too thin. We look forward to receiving additional details of the federal plan as they become available, and we are grateful to Secretary Napolitano and her staff for their willingness to provide additional briefings and coordination.

“As Governor of the State of Arizona, I have no higher priority than the safety and security of our citizens, and I am certain that President Obama, Secretary Gates, and Secretary Napolitano (as a former border governor) share that priority.”

###

issued in response
to DHS press release
March 24, 2009

**WRITTEN STATEMENT OF
JANICE K. BREWER, GOVERNOR OF THE STATE OF ARIZONA
FOR THE
U.S. SENATE HOMELAND SECURITY AND GOVERNMENT AFFAIRS COMMITTEE
PHOENIX FIELD HEARING REGARDING SOUTHERN BORDER VIOLENCE
APRIL 20, 2009**

Senator Lieberman, Senator McCain and other distinguished guests, let me begin by thanking you for the opportunity to speak to you regarding my concerns with the situation on our border with Mexico. I am joined today by the Director of the Arizona Department of Public Safety, Roger Vanderpool; the Adjutant General of the Arizona National Guard, Major General Hugo Salazar; and the Executive Director of the Arizona-Mexico Commission, Margie Emmermann.

As you know, Arizona's border with Mexico extends approximately 370 miles in a largely open region with little population and terrain varying from low deserts to mountains. The multiple transportation avenues for trafficking in drugs and immigrants make Arizona a particularly attractive state to those engaging in these illegal activities.

Due to the vigilance of law enforcement, the violence that has affected so much of Northern Mexico has not been nearly as much of a factor as it otherwise would have been. I am grateful for the work of federal authorities and our own resources such as the Arizona Department of Public Safety, county sheriffs and municipal police departments, all of which keep a watchful eye and ear while we work, rest and recreate. Arizona's law enforcement community truly has been cohesive and integrated in its approach to the border, and that cohesion and integration has led to better results for Arizonans.

The nature of this cohesion and integration is probably best exemplified by the combined effect of federal, state and local law enforcement agencies working together in the Arizona Counter Terrorism Information Center, commonly known as the AcTIC. The AcTIC plays a vital role in strengthening the intelligence and analytical process that is then used to support inter-jurisdictional operations and cooperative efforts designed to anticipate and prevent terrorist—including "narcoterrorist"—activities.

In addition to law enforcement, Arizona has other assets in play including approximately 150 National Guard personnel at work in support of these law enforcement entities. According to DPS Director Vanderpool, "the Guard's support has been a lifesaver to Arizona law enforcement's efforts on the border in support roles such as intelligence analysis and aerial reconnaissance." As you are aware, in March I requested Defense Secretary Gates increase the National Guard count of soldiers participating in drug interdiction and counter-drug activities from 150 to 400 personnel. More on that later.

Despite the vast array of assets in Arizona, I cannot tell you that we are immune from the spillover effects of the Mexican drug wars. We have seen clear signs of such spillover—and the signs of the kind of violence and depravity that may await us are frightening and completely unacceptable. Arizona's reputation as "ground zero" for illegal narcotics smuggling, human smuggling and kidnapping is directly related to our border status, and the growing threat posed by criminal syndicates south of the border.

In pointing these facts out, I am not diminishing the relative success of law enforcement north of the border. Instead, I am suggesting that we must acknowledge that the demands on law enforcement are growing in both quantity and complexity. The relative peace and safety that Arizonans have enjoyed because of the dedication and vigilance of law enforcement should not lull the federal government into a level of activity and response which is completely inconsistent with the danger confronting us. The inherently violent drug trade poses a threat to law enforcement officials and innocent families beyond those persons who willfully participate in the illegal trafficking. Our porous border makes entry into the U.S. easy and it seems reasonable to believe that the criminal drug syndicates may also – if it is not happening already – be a welcoming partner even to terrorist ventures.

Beyond the ravages of violence, the border challenges have had devastating effects on commerce, particularly tourism. Fear has led to a reduction in travel activities which has great effects on businesses both north and south of the border. Less quantifiable, but possibly even worse, is the impact on families both in Mexico and Arizona, too afraid to travel to see one another.

In thinking about how to address these challenges, let me offer the following five suggestions:

Number 1 –Additional or Ongoing Resource Needs

I believe the request I have made to Secretary Gates to bolster our National Guard's Joint Counter – Narcotics/Terrorism Task Force is a prudent and justified measure. I was extremely disappointed last week to learn it had been effectively denied. Despite the apparent denial, I ask for the support of you and your colleagues in funding my request and those coming from other southwestern Governors regarding increased appropriations for these National Guard operations. Contrary to some allegations, my proposal to use skilled National Guard resources to assist law enforcement is not at all the same thing as "militarizing" the border. State and federal taxpayers have trained these men and women and we ought to take advantage of their abilities to effectively support law enforcement's primary role.

Your increased financial and personnel support for intergovernmental ventures such as the AcTIC provides opportunities to prevent incidents before they ever happen. Another intergovernmental effort which deserves significant attention is the special relationship we share with the Tohono O'odham Nation. Ensuring the tribe has adequate resources to fulfill its role in partnership with federal, state and local authorities is absolutely essential to a comprehensive and effective strategy.

Finally, the federal government must continue to enhance its commitment to border security. While Border States like Arizona are willing to assist, the primary role belongs to the federal government through activities/agencies such as the Border Patrol and Immigration and Customs Enforcement. Please ensure Arizona has adequate resources to interdict drug and human smuggling operations throughout southern Arizona, not just at the largest crossing sites. Recent developments regarding increased federal support are heartening, however, the efforts need to be bolstered. While personnel redeployment is one method to meet challenges, we urge you to ensure that the federal government does not "rob Peter to pay Paul." Make

sure that resource and personnel gaps are closed throughout the border region without creating deficits elsewhere that will lead to other vital services/duties not being completed. On this note, I want to thank you Senator Lieberman for your stance that additional funding is called for in the light of the clear and present danger to the U.S.

In summarizing this section of my remarks, please remember that while technology and physical barriers are important tools in dealing with border challenges—tools that I certainly welcome—boots on the ground combined with solid intel is really what facilitates adequate response and effective prevention.

Number 2 – Modernization of Ports of Entry

The Ports of Entry between Arizona and Mexico should be fully modernized and outfitted to balance appropriate traffic flow with the need for inspections and other security measures. The fairly recent announcements regarding the Mariposa Port is, generally, a great development. While I certainly do not believe we should operate as if smugglers and other “bad guys” will only be using our main ports, we should not neglect the infrastructure and operations at these sites which can help thwart illegal trade passing through the most obvious of crossing opportunities. Just as importantly, we should also not take the ports for granted as opportunities to enhance the conduct of efficient and effective international commerce and trade which benefits the entire region. Congress should make a clear multi-year commitment to port construction and modernization throughout the southwest. And, by the way...this commitment should not involve additional financial burdens for cash-strapped state or local governments.

Number 3 – A Fair and Effective Immigration Policy

While Congress works to establish a sensible immigration policy, it is absolutely essential to secure our borders. Our border security challenges are significantly compounded by our inability to develop a long-term strategy for fair and appropriate legal immigration and the prevention of illegal crossings. I recognize the issues associated with immigration policy are thorny ones, but I must say that without federal action on the matter, states—particularly border states—are in very vulnerable positions. At a minimum, the federal government must do more to further discourage tactics and methods designed to thwart proper immigration procedures. Specifically, the federal government should make prosecution of human trafficking activities—including both those persons arranging the smuggling as well as those participating in it—a top priority.

Number 4 – Appropriate Support for Unique Burdens of Border States

In addition to addressing immigration policy itself, the federal government must also respond to the disproportionate fiscal burdens shouldered by border states in education, health care, human services, law enforcement and corrections. Until a more secure border situation can be achieved, along with the implementation of a sound immigration strategy/policy, the federal government should appropriate funds to help offset the verifiable costs state and local governments incur because of or associated with illegal immigrants. State and local governments in Arizona racks up millions of dollars in additional expenditures every year

directly resulting from federal immigration and border operations not being adequate to control illegal entry in this state.

Number 5 -- A Review of Our National Drug Policy

Finally, the United States must carefully analyze our National Drug Policy. We must admit that if it were not for our voracious appetite for illegal drugs, the situation along our southern border would be vastly different. Actions by individual states are not the answers we need—disjointed policies will likely not be effective and might very well produce more harm than good. As a citizen leader, I struggle with what course of action to advocate to you. Our fascination with mood and mind altering substances—alcohol and tobacco included—has not made our country better. In fact, I believe the evidence would suggest we are worse off at least in terms of public health. Addiction, other long-term health consequences and the negative impacts on productivity and safety make drug use an incredibly negative characteristic of modern American society. On the other hand, the price we pay for illegal trafficking of these drugs is enormous. Entire criminal syndicates operate on the enormous profits coming from illegal drug trade. The price our society pays in both violent and property crimes associated with the drug trade is enormous and growing. Our prisons and jails are full of people either directly or indirectly tied to illegal drug use.

Addressing these matters requires a comprehensive national look at what works and what does not in terms of enforcement, prevention, treatment and other relevant concerns. I believe our national policy makers must take this matter up and pursue it analytically, seriously and expeditiously.

In closing, I want to thank you again for the opportunity to address you. I did not come today to dazzle you with statistics, horrify you with anecdotes or to toot the state's horn on things we have done. Instead, during my brief time addressing you, I wanted to share a few perspectives that may be of value in your deliberations on how to address our challenges on the border. I pray that God will bless you and all your colleagues with wisdom in addressing these and all other challenges facing our great nation.



OFFICES OF THE GOVERNORS

ARNOLD SCHWARZENEGGER
CALIFORNIA

JANICE K. BRIWHER
ARIZONA

BILL RICHARDSON
NEW MEXICO

RICK PERRY
TEXAS

April 22, 2009

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the House
U. S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable John A. Boehner
Minority Leader
U. S. House of Representatives
Washington, DC 20515

Dear Senator Reid, Senator McConnell, Madam Speaker and Mr. Boehner,

The National Drug Intelligence Center recognizes cross-border drug trafficking organizations as the "most pervasive threat facing the southwest region." As border governors, we can testify to the truth of that statement, and we are writing to ask for your help to overcome this tremendous challenge to the health and safety of our fellow Americans.

Homeland Security Secretary Janet Napolitano recently announced the Obama administration's plan to address the rising level of violence we are experiencing along our nation's southwest border. While there are no easy solutions, it is abundantly clear that additional resources are needed -- and needed now.

Congress will begin to debate the Fiscal Year 2009 emergency supplemental budget and shortly thereafter, the Fiscal Year 2010 Department of Defense budget. We request that you fully fund the National Guard Counter-Drug Program to add additional personnel to the four southwest border states and ensure that this funding remains sufficient to reach a significant decline in border drug trafficking and violence.

By funding the National Guard Counter-Drug Program in the southwest border states, you will allow federal, state and local law enforcement agencies to fulfill the federal government's commitment to reduce the demand for illegal drugs in our nation. We are confident that the flow of illegal drugs and associated violence can be best addressed by increasing the capacity of the Counter-Drug Program authorized by Section 112, Title 32, of the United States Code. Over the last 20 years, this law has empowered the states, through the National Guard, to support federal, state and local law enforcement agencies and community-based organizations in counter-drug interdiction, drug demand reduction and narcoterrorism activities. In Fiscal Year 2008, National Guard Counter-Drug support led to \$28 billion in drugs taken off the streets and nearly \$226 million in cash seized.

The Honorable Harry Reid
The Honorable Mitch McConnell
The Honorable Nancy Pelosi
The Honorable John A. Boehner
April 22, 2009
Page two

As the National Guard programs already exist, they can easily expand to accommodate additional personnel on the job. Expanding the Counter-Drug Program provides a good opportunity to minimize perceptions that anyone is militarizing the border by enabling National Guard personnel already familiar with drug trafficking to use their expertise and skills to support the direct services underway by law enforcement. These personnel are not employed in any form of combat or maneuver role.

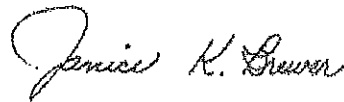
Increasing the number of National Guard personnel to support these southwestern border law enforcement agencies is a priority, but we also need to maintain, and in some areas increase, the support to local law enforcement throughout the rest of our states where cross-border drug trafficking organizations are known to exist. Currently, there is more demand for support from local, state and federal authorities than our National Guard programs can actually meet.

Thank you in advance for considering our request. We stand ready to assist in any way possible.

Sincerely,



Arnold Schwarzenegger
Governor of California



Janice K. Brewer
Governor of Arizona



Bill Richardson
Governor of New Mexico



Rick Perry
Governor of Texas

cc: The Honorable Daniel K. Inouye
The Honorable Thad Cochran
The Honorable Carl Levin
The Honorable John McCain
The Honorable Dave Obey
The Honorable Jerry Lewis
The Honorable Ike Skelton
The Honorable John M. McHugh



State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

FOR IMMEDIATE RELEASE
April 24, 2009

CONTACT: Paul Senseman
(602) 542-1342
psenseman@az.gov

U.S.-Mexico Border Governors Join Brewer Call for Surge In Troops *Request Congressional Support for Additional National Guard Soldiers*

PHOENIX — Arizona Governor Jan Brewer, California Governor Arnold Schwarzenegger, New Mexico Governor Bill Richardson, and Texas Governor Rick Perry have jointly requested U.S. Congressional leadership support for an increase in National Guard presence on the U.S.-Mexico border. The joint request follows a similar March request by Governor Brewer to the U.S. Department of Defense for an increase of approximately 250 National Guard soldiers (for a total of 400) under the mandate and control of the Joint Counter Narco-Terrorism Task Force (JCNTF), also referred to as the National Guard Counter-Drug Program, using federal funding under Title 32, Section 112 of the United States Code for National Guard activities. Governor Brewer's March request has not yet been fulfilled, despite growing concerns of increased border violence.

"Arizona communities and citizens continue to be negatively impacted by the illegal drug trade and related border violence," stated Brewer. "Our citizens must be protected from border violence. Arizona and other U.S.-Mexico border states continue to be confronted by a number of unique and disproportionate challenges relative to other states. Securing our border is a critical federal responsibility, and I am hopeful for strong congressional support."

The JCNTF's mission is to provide uniquely suited and quality military support to requesting federal, state and local Drug Law Enforcement Agencies as well as Community Based Organizations in the fight against illicit drugs with professionalism and successful mission results. JCNTF personnel are paid with federal funds under Title 32 and include medical costs, as afforded to Active Duty personnel. All mission costs are born by the federal government.

"The support these additional soldiers can provide to law enforcement agency operations has proven invaluable for many years, and a surge in this time-tested program is critically important," stated Brewer.

###



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

May 11, 2009

The Honorable Jon Kyl
U.S. Senator
730 Hart Office Building
Washington, D.C. 20510

Dear Senator Kyl:

In 2006, the Western Governor's Association passed a policy resolution entitled "U.S.-Mexico Border Security and Illegal Immigration" that outlined significant challenges and potential solutions associated with unauthorized immigration. In particular, my fellow Governors called on Congress to undertake immigration reform that includes constructing Western regional federal correctional facilities to detain criminal aliens convicted in state criminal justice systems. It is imperative that the federal government work closely with states to provide additional resources to offset the considerable costs states must incur for incarcerating unauthorized immigrants and housing them in local and state correctional facilities. Unfortunately, President Obama's recently released budget proposal takes a step in the wrong direction by eliminating the State Criminal Alien Assistance Program (SCAAP) which nominally reimburses state for costs associated with housing criminal aliens.

Illegal immigration is a significant matter involving economic, criminal justice, and national security issues. As we both know, our close proximity to the U.S.-Mexico border makes the matter ever more significant. Arizona's criminal justice and correctional systems have been tremendously affected, both operationally and financially, by the presence of illegal aliens in our courts, jails and prisons.

Arizona and other state/local governments are being forced to deal with the ramifications of illegal immigration due to the federal government's failure to control unauthorized immigration along our Southern border. This failure is stressing our already overburdened state and local budgets and correctional facilities. The challenge for state governments to handle this problem has been made even harder as we struggle to meet financial obligations amid the current economic downturn.

May 11, 2009

Senator Kyl

Page 2

Accordingly, I ask that you work with President Obama and Congressional leadership to fund the creation of regional detention facilities where states could send their criminal aliens to serve out their sentences. This federal initiative would first, help alleviate the significant financial burden that illegal immigration has placed on our states. Second, it will free up limited state correctional facility bed capacity. Third, the private sector can quickly construct these facilities adding important jobs as well as significant state and local property tax collections for schools and transportation infrastructure during these extremely difficult economic times. Once constructed, the facilities will create a significant number of permanent jobs.

The attached white paper provides additional information on my request. I appreciate your consideration of this request. Please feel free to contact me if you have any questions.

Sincerely,



Janice K. Brewer
Governor

Regional Detention Facilities for Criminal Aliens Serving State & Local Sentences

Background: In a 2006 Policy Resolution, the Western Governors' Association (WGA) noted that Western states "suffer a disproportionate financial burden on health care, education, environmental and criminal justice systems because of unauthorized migration from Mexico." It further noted that immigration is "not solely a Western issue. It impacts the economy of the entire nation." The policy resolution went on to state:

"The federal government must work closely with the states to provide immediate resources required to offset the enormous costs imposed upon the states as a result of the failure to control illegal entries along our international borders. Of particular concern are the costs of incarcerating unauthorized immigrants who are being housed in state and local correctional facilities. Full funding of the true costs must also be made readily available to reimburse states for care of undocumented persons..."

Many states, particularly in the Western and Southeastern regions of the country, continue to be burdened by the cost and operational challenges of housing criminal aliens in already crowded state correctional facilities. U.S. Immigration and Customs Enforcement (ICE) estimates that about 300,000 to 450,000 criminal aliens are detained each year at federal, state, and local prisons and jails. In California alone, there are an estimated 30,000 criminal aliens currently clogging a state correctional system that is operating at 189% of design capacity. Florida reports approximately 5,200 criminal aliens in state prisons, with Texas reporting 11,200, and Arizona reporting 4,200.

The WGA Policy Resolution provided a host of policy statements and recommendations for addressing illegal immigration and associated problems. Among those was one recommendation which has particular relevance to the economic stimulus package currently being assembled:

"In consultation with the states, the construction of Western regional federal correctional facilities required to house criminal aliens who have been apprehended and convicted in state criminal justice systems."

Such regional facilities could easily be sited, designed, built, financed, and operated by private sector corrections and detention management companies who have contracted with the states and the federal government for the last 25 years. ICE, in consultation with the states, would be the contracting agency and lead the effort to award and monitor the construction and ongoing operation of the facility (ies), which would likely have the following attributes:

Cost: In the current construction cost environment, a 3,000 bed regional detention facility could be built for \$185-\$210 million, the range of costs attributable to land acquisition and development, off site infrastructure, and permitting and entitlement differentials in various locations around the country.

Job Creation: An 18-month project construction period is estimated, creating an average of 375 construction jobs over that entire time. Once fully operational, it is estimated that a facility of this size would permanently employ more than 600 people in a variety of positions, including detention officers, nurses, food service workers, and counselors.

"Green" Construction: Based on recent design and construction projects similar to those being proposed here, a facility of this type is projected to reduce Greenhouse Gas (GHG) emissions by at least 33% over normal construction and operational emissions. These reductions are generated by constructing a central plant to reduce energy consumption, installing low flow plumbing to reduce water consumption; using solar power to reduce electrical consumption; increasing wall and roof insulation to reduce electrical consumption; using energy efficient laundry and kitchen facilities; enhancing recycling and climate friendly landscaping.

Request: Respectfully request legislative language to create a pilot program for ICE regional detention centers and provide \$200-250 million in funding for the first 3,000 bed regional detention facility in the economic recovery package.



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

January 22, 2010

The Honorable Barack Obama
President of the United States
The White House, 1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

I briefly wanted to share why my application for consideration as an appointee to the Council of Governors (White House Executive Order dated January 11, 2010) makes sense:

- Arizona is home to over 21,000 Active Duty personnel, more than 19,000 Reserve and National Guard personnel and in excess of 9,000 DOD civilian employees. In addition, Arizona Air and Army National Guard aviation assets consist of a total of 143 aircraft with an annual flight hour program of close to 40,000 flight hours per year.
- Arizona is home to nineteen Department of Defense/military installations and sites with assets valued at nearly 20 billion dollars.
- Arizona is home to 600,000 retired military and veterans of all branches and backgrounds, including 15,000 Native Americans.
- In addition to representing honor and service, these retired military and veterans represent nearly \$800 million in federal dollars flowing into Arizona in pension and disability income annually.
- As a southwestern state, Arizona is heavily involved in issues related to border security. Arizona has the Joint Counter-Narco Terrorism Task Force (JCNTF), which first formed in 1989. JCNTF currently consists of over 150 full-time National Guard personnel supporting Federal, State and local law enforcement agencies.
- Finally, defense-related industries are a vital part of the Arizona economy. Companies like Raytheon, Boeing, Honeywell, General Dynamics and numerous others provide critical products and/or services vital to military personnel and our national security.

I know that you will have many qualified applicants among the Governors. I am certainly one with a deep and abiding commitment to our military men and women. Thank you for considering my interest and application.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer".
Janice K. Brewer
Governor

Brian McNeil

From: Governor's Office Press Release
Sent: Thursday, February 25, 2010 10:14 AM
To: Kim Sabow
Subject: Governor Brewer Calls on Feds to Fulfill Prior Funding Commitments on Border Costs
Attachments: 02-25-10 Governor Calls on Feds to Pay Overdue Bills.pdf

FOR IMMEDIATE RELEASE

CONTACT: Paul

Senseman

February 25, 2010

(602) 542-

1342

psenseman@az.gov

Brewer Calls on Feds to Fulfill Prior Funding Commitments on Border Costs

President's Budget for SCAAP Fails to Reimburse Arizona For Federal Border Obligations

PHOENIX — President Obama continued the federal government's failure to assume responsibility for our broken borders, proposing to give to states only a fraction of money it costs to house criminal aliens in Arizona prisons, Governor Jan Brewer said Thursday.

Contained within the President's \$3.8 trillion budget is a provision to partially fund the State Criminal Alien Assistance Program (SCAAP). However, Governor Brewer said, the amount falls far short of the federal government's responsibility for the 6,100 criminal aliens in state prisons now. Federal law obligates the federal government to cover these expenses, but federal appropriations have fallen dramatically short.

"Even though President Obama is proposing the largest budget ever, he cannot find the political will to pay for the federal government's border responsibilities," Brewer said. "Arizona remains in the grips of a budget crisis in large part due to unfunded commitments that should be paid in full by the federal government."

This is not the first time Governor Brewer has expressed her disappointment in the federal government's border failures. Governor Brewer personally spoke to the President regarding SCAAP funding when he visited Arizona on May 13 last year. The President's new budget includes \$330 million for the SCAAP funding for all 50 states and local jurisdictions. The State of Arizona alone is owed roughly \$700 million in costs that legally qualify for federal reimbursement.

Obama's disappointing budget comes as Brewer announced she will transfer to

federal custody as many criminal aliens as allowed under current law. The state has transferred custody of approximately 100 criminal aliens to the Immigration and Customs Enforcement agency since January.

"Arizona taxpayers should no longer bear the huge costs of incarcerating criminal aliens, and this most recent budget proposal wouldn't cover the costs owed to Arizona, much less the entire United States," Governor Brewer said. "I will continue to work with the Arizona congressional delegation and other border state governors to encourage the federal government to pay its bills."

###

Paul Senseman
Office of Governor Janice K. Brewer
1700 W. Washington St.
Phoenix, AZ 85007
Phone: 602.542.1342
Fax: 602.542.7602
psenseman@az.gov





State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

FOR IMMEDIATE RELEASE
March 29, 2010

CONTACT: Paul Senseman
(602) 542-1342
psenseman@az.gov

Governor Jan Brewer Calls on Feds to Immediately Approve Troop Increase on Arizona Border

Senseless Violence Must Be Stopped Along Arizona/Mexico Border

PHOENIX – Governor Jan Brewer today has called for immediate action by the federal government to increase public safety at Arizona's border through the addition of National Guard soldiers and airmen. Governor Brewer made her initial request for additional troops to U.S. Secretary of Defense Robert Gates on March 11, 2009, followed by a joint letter from four border governors to congressional leaders on April 22, 2009. Since then, federal officials have neither denied the request, nor fulfilled it. In the wake of the violent killing of highly regarded Cochise County rancher Robert Krentz early Sunday morning, Arizonans were once again reminded of the abject failure of the U.S. Congress and President Obama to adequately provide public safety along our national border with Mexico.

"My thoughts and prayers are with the Krentz family during this horrible and unnecessary tragedy," said Governor Brewer. "For over a year I have demanded that the federal government fulfill my request, joined by the Governors of Texas, New Mexico, and California, to uphold its constitutional responsibilities and increase security along the border through the deployment of additional National Guard troops. Our citizens must be protected from border violence. Additional soldiers can provide critical support to law enforcement agency operations, and a surge in troops at the Arizona border has been proven in the past to be effective."

Governor Brewer's request for 250 additional National Guard soldiers would fall under the well-tested Joint Counter Narco-Terrorism Task Force (JCNTF), also referred to as the National Guard Counter-Drug Program. Despite growing concerns over border violence, the U.S. Congress and the Obama Administration have not yet fulfilled the surge request. Arizona's border with Mexico is roughly 350 miles in length. The Governor's request would bring the existing JCNTF personnel total to approximately 400 Army and Air National Guard soldiers and airmen.

"I spoke this morning with Sheriff Larry Dever in Cochise County to offer any additional state law enforcement assistance that might be helpful," said Governor Brewer. "State public safety

officials, including the Arizona Department of Public Safety and the Arizona Department of Corrections, are already coordinating and assisting local law enforcement in the search for the criminals behind this horrific act. We must continue and increase our efforts to hold the federal government accountable, as well as consider any other options necessary to provide public safety for all Arizonans."

###



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

April 6, 2010

The Honorable Barack Obama
The President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

Let me begin by thanking you for your support of my request to designate certain portions of Arizona as major disaster areas due to damage caused by severe winter storms in January of this year. State and local funding challenges make responding to emergencies associated with natural disasters difficult without assistance from the federal treasury. This assistance is extremely important for meeting people's immediate needs and to finance the difficult process of community recovery.

There is yet another emergency facing Arizona, but this one is not the result of a natural disaster. In contrast, this emergency has been the result of decades of neglect and an ongoing unwillingness of the federal government to fully shoulder its Constitutional duty to secure our country's southern border with Mexico.

Arizona roads and open spaces have become some of the main, if not the main, land thoroughfares for illegal alien traffic and illegal smuggling operations—drugs, arms and humans. Arizonans are at risk from these activities whether they live on or near the border itself, or elsewhere in our State. It seems to be an everyday occurrence that a drop house is found or a cache of weapons or drugs is seized.

While all Americans are at risk, the dangers are particularly apparent for those persons living along the border. I am sure you are aware that an Arizona rancher in southeastern Cochise County was recently killed. Although the matter is still under investigation, the evidence seems to point to the victim being killed as part of border-related criminal activity. If this were a single incident, I might not seek your assistance. On the contrary, though, there are numerous examples of violence that has spilled north over the border in Texas, New Mexico, California and Arizona.

In April of last year, I joined with the Governors from these three other states to request Congressional support for additional funding of Title 32 National Guard assistance to law enforcement. Earlier, Governor Perry and I, in separate actions in January and March 2009, respectively, asked for this support from your Departments of Defense and Homeland Security. During the months that have followed, I was assured on more than

Letter to President Obama – Border Security
April 6, 2010
Page 2 of 4

one occasion that the support would be forthcoming. My Adjutant General had gone as far as seeking volunteers for the slots that we believed would be funded. My request was very reasonable—250 additional troops to bring Arizona Joint Counter Narco-Terrorism Task Force (JCNTF) to approximately 400 Soldiers and Airmen.

The support, however, never came.

I respectfully ask that you act now and provide additional JCNTF support.

This support will allow law enforcement elements—potentially in all jurisdictions—to more effectively complete their missions because of assistance provided by the National Guard. By providing additional JCNTF troops, we boost intelligence, logistics, inspections, reconnaissance/surveillance and other activities that enable law enforcement to more effectively focus and deploy the resources available to them. National Guard troops can and have assisted Customs and Border Protection (CBP) personnel to help that agency achieve a higher state of readiness and responsiveness. Recon/Surveillance assets provide early warning to federal and local law enforcement of possible illegal border activity. National Guard aviation activity supplements CBP work to ensure gaps are covered more effectively. Skilled intel operators serve in roles that support coordinated and unified counter-terrorism and counter-crime centers. In addition to these capabilities, there are a number of other missions that the JCNTF can accomplish in support of law enforcement.

This kind of support reflects an appropriate amount of military activity and results in a solution that avoids sending a wrong message to Mexico and other neighbors to the south. I am a supporter of legal trade, business and tourism with Mexico and Latin America. I have resisted, and will continue to resist, demonizing entire nations because of the criminal acts of a relative few. To be clear, however, enforcing our laws on immigration and maintaining vigilance on the border are neither punitive nor threatening if done properly.

I support federal law enforcement as the primary solution to border security. Given the fact that National Guard personnel serving on JCNTF conduct all activities in a support role to local, state, and federal law enforcement agencies, I believe increasing JCNTF activities is the most appropriate military action to take at this time. Contrary to the concerns of some, additional JCNTF troop levels do not result in “militarizing the border.”

Along with additional JCNTF resources to better support law enforcement, I also want to take this opportunity to ask for you to consider the matter of border fence construction, improvements and maintenance. By coordinating actions with Arizona and other states, the fence can be a better deterrent. Absent observation and enforcement activities, the fence has limited value. If not maintained and improved, it will have no value. I believe there are ways to bring federal fence costs down through better equipment procurement methods and the possible use of state inmate labor. Please know that the State of

Letter to President Obama – Border Security
April 6, 2010
Page 3 of 4

Arizona, the Arizona National Guard and others stand ready to work with you on this matter.

Beyond the federal requests above, I am also evaluating other options. One is the use of National Guard troops on State Active Duty. Enacting a State Active Duty option remains a possibility, but we would be very challenged in sustaining any serious commitment given Arizona's difficult fiscal situation. In addition, the limitations on benefits available to National Guard troops while serving on State Active Duty poses another significant difficulty for sustaining a force. I have also considered options other than State Active Duty (e.g., refocusing Annual Training plans to border security missions), but I believe the numerous challenges associated with authorization, financing, sustainability and/or conflicts with wartime missions/priorities make such alternatives suboptimal choices relative to the JCNTF proposal.

Concurrent with the JCNTF request, I am looking at ways to better support local law enforcement. I have had extensive interaction with key members of my Security Cabinet about developing support concepts and will soon be rolling out additional plans to County Sheriffs and other law enforcement representatives. As part of my overall efforts, I will be contacting you and Secretary Napolitano at a later date to discuss Operation Stonegarden monies and the role those funds play in border security efforts.

These efforts would be nonexistent without the dedicated labor and expertise of countless federal, state and local personnel currently working lonely, dangerous and, all too often, thankless duty on the border. My requests should not be taken as any diminishment of, or disrespect for, their labor. On the contrary, with additional support, I believe their efforts can be even more effective.

Your Administration has an opportunity to emphasize border security in ways that are effective, prudent and fair. I am willing to do my part in such a direction. I cannot, however, accept the idea that border security is a responsibility of the Border States. We are already burdened with a disproportionate share of costs of arrest/prosecution/incarceration of criminal aliens. As I have stated in previous correspondence and a personal discussion, we should be reimbursed by the federal government for these costs that are the direct result of inadequate border control/security. We face other significant unreimbursed costs due to the negative consequences of illegal border-related activity on residences, businesses and whole communities. Our state and local government agencies, law enforcement jurisdictions and the non-profit sector are all stretched thin trying to address the enormity of the challenge.

I believe that supplementing the existing JCNTF personnel to bring the total to approximately 400 Army and Air National Guard Soldiers and Airmen makes the most sense at this time. As I said last year, I am supportive of higher troop strength numbers, but I want to ensure we can effectively deploy more than 250 additional personnel, and that the missions to which such additional personnel will be assigned are both meaningful and valuable.

Letter to President Obama – Border Security

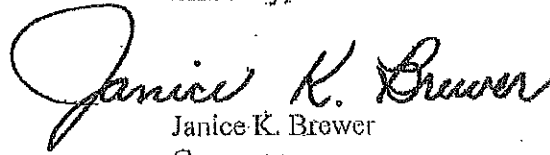
April 6, 2010

Page 4 of 4

In closing, I urge you to take very seriously the challenges faced by Arizona and the other three southwestern Border States. I also urge you to respond to these challenges by approving the requests I have made in this correspondence. Please call on me if there is anything I can do to answer any questions or concerns you may have.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer". The signature is written in dark ink and is positioned above the printed name and title.

Janice K. Brewer
Governor

JB:bcm

cc: The Honorable Robert Gates, Secretary, Department of Defense
The Honorable Janet Napolitano, Secretary, Department of Homeland Security
The Honorable Joe Biden, Vice President
The Honorable Nancy Pelosi, Speaker of the House
The Honorable Harry Reid, Senate Majority Leader
The Honorable Mitch McConnell, Senate Minority Leader
The Honorable John Boehner, House Minority Leader
The Honorable Arnold Schwarzenegger, Governor of California
The Honorable Bill Richardson, Governor of New Mexico
The Honorable Rick Perry, Governor of Texas
Senator Jon Kyl
Senator John McCain
Representative Jeff Flake
Representative Trent Franks
Representative Gabrielle Giffords
Representative Raul Grijalva
Representative Ann Kirkpatrick
Representative Harry Mitchell
Representative Ed Pastor
Representative John Shadegg



Vermont



Washington

April 19, 2010

The Honorable Jan Brewer
Governor of Arizona
Phoenix, AZ 85007

The Honorable Martin O'Malley
Governor of Maryland
Annapolis, MD 21401

The Honorable Jay Nixon
Governor of Missouri
Jefferson City, MO 65102

The Honorable Beverly Perdue
Governor of North Carolina
Raleigh, NC 27699

The Honorable Brad Henry
Governor of Oklahoma
Oklahoma City, OK 73105

The Honorable Luis Fortuño
Governor of Puerto Rico
San Juan, PR 00902

The Honorable Mike Rounds
Governor of South Dakota
Pierre, SD 57501

The Honorable Robert McDonnell
Governor of Virginia
Richmond, VA 23219

Re: Council of Governors Working Group Establishment and Future Meetings

Dear Governor Brewer, Governor O'Malley, Governor Nixon, Governor Perdue, Governor Henry, Governor Fortuño, Governor Rounds and Governor McDonnell:

As co-chairs of the Council of Governors (Council), we thank you for your commitment to serve on the Council and play a leadership role in this historic initiative to strengthen our nation's National Guard and homeland defense. We also thank you for your willingness to serve as co-chairs of the working groups we are establishing to discuss constitutional and policy issues concerning command arrangements for domestic military operations, as well as other strategic issues regarding the resourcing, training, readiness and utilization of our National Guard. The leadership and focus of the working groups is discussed below along with information regarding future Council meetings.

Council of Governors Working Groups

Unity of Effort

Governor Gregoire and Governor Douglas

The Unity of Effort working group will address issues regarding the command and control of domestic military operations. As recommended by the Commission on the National Guard and Reserves, and as discussed in the National Governors Association (NGA) policy statement on Army and Air National Guard, governors should have tactical control of all military forces engaged in emergency operations within their state. Ensuring unity of effort for domestic operations can be achieved through the Department of Defense (DoD) delegating tactical control of Title 10 military forces to a state's Adjutant General or agreeing to place Title 10 military forces and National Guard forces under the dual hat

command of a National Guard commander pursuant to 10 USC 325. This working group will address these options including the use of a dual-hatted National Guard commander for planned events as well as no-notice events such as a natural disaster or terrorist attack. It will also discuss the "Direct Support Initiative" as proposed by DoD and DoD's legislative proposal to allow the Secretary of Defense to call-up Reserve forces other than the National Guard for domestic disaster response.

Air National Guard and Army National Guard Recapitalization

Governor Perdue and Governor McDonnell

The Air National Guard (ANG) and Army National Guard (ARNG) Recapitalization working group will address the lack of recapitalization plans for both ANG and ARNG aviation. ANG and ARNG aircraft are among the oldest in operation and DoD's future plans do not adequately provide for their modernization or replacement. In addition, this working group will discuss the President's Fiscal Year 2011 budget proposal to shift additional cargo aircraft from Air Guard units nationwide to replace older active-duty component models and eliminate the only flying unit in the Puerto Rico Air Guard. These proposed reductions would come on top of BRAC 2005 actions that transferred ANG aircraft that had been mobilized at governor-direction to transport 55 percent of all National Guard personnel and 29 percent of all National Guard equipment that was airlifted into states affected by Hurricane Katrina.

End Strength, Full-Time Manning, TTHS

Governor Nixon and Governor Fortuño

The End Strength, Full-Time Manning, and TTHS (Trainees, Transients, Holders and Students) working group will address the need to increase the end strength of the Army and Air National Guard as a cost-efficient and sustainable alternative to increasing the size of the active armed forces. It will also address the need to increase full-time ARNG technician manning to at least the levels validated by the Army in 1990 and the creation of an Army National Guard TTHS account (for temporarily non-deployable soldiers) similar to the accounts long-authorized for the active duty Army and Army Reserve.

CBRNE Response Forces

Governor Brewer and Governor Henry

The CBRNE (Chemical, Biological, Radiological, Nuclear and high-yield Explosive) Response Forces working group will address state-centric and federal-centric options for responding to catastrophic CBRNE incidents. U.S. Northern Command (NORTHCOM) has pressed for the creation of three Brigade-sized response teams – one active duty CCMRF and two National Guard CCMRFs – to be pre-assigned to NORTHCOM to respond to domestic CBRNE events. Adjutants General (TAGs) and the National Guard Bureau (NGB) have instead urged more affordable, agile and flexible forces that would remain under governors' control and enhance the governors' ability to respond to in-state emergencies and provide state-to-state assistance. The recently released Quadrennial Defense Review (QDR) includes a proposal for Homeland Response Forces that would better utilize National Guard capabilities. This working group would also address the use of the National Guard for border security and to support the protection of key resources and critical infrastructure.

Based on a request from Gov. Brewer (AZ)

Military Construction

Governor O'Malley and Governor Rounds

The Military Construction (MILCON) working group will address the need for states to receive a proportional share of congressionally appropriated MILCON funding. For example, the ARNG has nearly 50 percent of the Army's combat force structure, 22 percent of the Army's inventory of installations and facilities, 30 percent of the Army's documented facilities space requirements and 33 percent of the Army's validated Installation Status Report requirements (i.e. the gap between facilities' mission requirements and actual functionality), yet the ARNG receives only 13 percent of Army MILCON allocations.

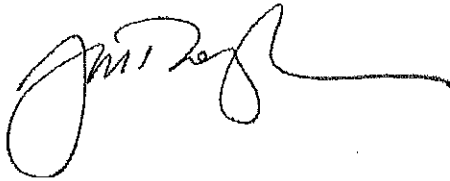
Future Council Meetings

Each working group will be responsible for monthly teleconferences to discuss issues under its jurisdiction and is encouraged to invite appropriate federal agencies to participate. These teleconferences will provide an opportunity for more in-depth discussion of issues and the development of items for consideration by the full Council at its next meeting, which is tentatively scheduled to occur following the conclusion of the NGA Annual Meeting on July 11, 2010, in Boston, Massachusetts. Please coordinate the scheduling of all working group meetings or teleconferences with Heather Hogsett, Director of Homeland Security and Public Safety at NGA, to ensure all Council members have the opportunity to participate.

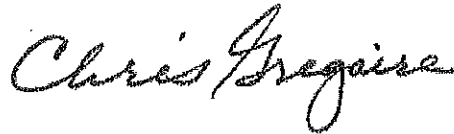
We plan to hold a conference call to discuss these working groups, the charter for the Council, future meetings and other matters on April 23 at 2:00 pm EST. If you or your staff have any questions, please feel free to contact Heather Hogsett at NGA at hhogsett@nga.org or (202)624-5360.

We look forward to working with you to make the Council a success.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Douglas", with a long horizontal flourish extending to the right.

Governor James H. Douglas

A handwritten signature in black ink, appearing to read "Chris Gregoire", written in a cursive style.

Governor Christine O. Gregoire



State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

FOR IMMEDIATE RELEASE
April 22, 2010

CONTACT: Paul Senseman
(602) 542-1342
psenseman@az.gov

Governor Brewer Announces Arizona Border Security Plan

Plan Focused on National Guard Actions, \$10 million in Support of Local Law Enforcement in the Arizona Border Region

PHOENIX – Governor Jan Brewer today announced her plan to secure the southern border by unveiling a strong, responsible, and detailed plan of action.

"The federal government has failed in its obligation and moral responsibility to secure our border," said Governor Brewer. "A government's principle responsibility to its citizens is to provide safety and security. States have never been expected, even in prosperous economic times, to sustain the national defense of our borders. With the resources we have today, I am doing everything within my power to ensure and promote safety for our citizens along our southern border."

Governor Brewer's Border Security Plan calls for additional covert National Guard reconnaissance, increased National Guard aerial patrolling, annual National Guard military exercises conducted in regions along the border, increased economic and logistical support for local law enforcement, and improved border county interaction and federal agency partnership. The Governor's plan also calls for substantial expansion of the Joint Counter Narco-Terrorism Task Force (JCNTF).

The Arizona National Guard has been directed by Governor Brewer to create additional "Nighthawk" ground surveillance capability within the JCNTF. The additional personnel performing "Nighthawk" will result in an estimated 150 additional missions per year. Personnel will continue to increase as federal funding becomes available. Additionally, Governor Brewer has directed an increase to current helicopter aerial surveillance operations, estimating an increase of 70-80 additional missions through September. These missions will be coordinated with law enforcement to ensure the effectiveness of the substantially increased aviation support.

The Governor sent a request to President Barack Obama seeking the approval of an additional 250 National Guard personnel for the JCNTF to support federal, state and local law enforcement drug interdiction efforts, beyond the current 140 Arizona National Guard members currently participating in JCNTF.

Governor Brewer has also directed \$10 million of discretionary federal stimulus monies to local law enforcement grants for the border, for a program entitled the Border Security Enhancement Program (BSEP). Governor Brewer's stimulus funds have been fully committed for job creation, education, and public safety. BSEP will provide flexible grants to allow local and tribal law enforcement to propose ways to augment existing border security efforts. Governor Brewer will host a meeting shortly with local law enforcement leadership to provide details about the BSEP.

The Governor and her Border Security Cabinet are supportive of the border plan announced recently by Arizona Senators Kyl and McCain. However, state officials await specific details regarding the deployment of the force proposed, the missions to be performed by the proposed 3,000 additional personnel and the ways in which the additional personnel would be coordinated with law enforcement entities.

###



State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

Governor Brewer's Border Security Plan

National Guard Actions

1. **Joint Task Force Expansion:** Asked the President to approve funding for an additional 250 National Guard personnel for the Joint Counter Narco-Terrorism Task Force (JCNTF) to support federal, state and local law enforcement drug interdiction efforts.
2. **Additional Covert Reconnaissance:** Directed Arizona's Adjutant General, Major General Salazar, to create additional "Nighthawk" ground surveillance capability within JCNTF, using existing resources. This action will result in an estimated 150 additional missions per year.
3. **Increased Aerial Patrolling:** Directed Major General Salazar to augment current JCNTF OH-58 helicopter aerial surveillance operations by reprioritizing/reprogramming existing funds for additional flight hours. This effort will allow for an estimated 70-80 additional missions through September.
4. **Additional Aviation Support Request:** Request the President to provide additional surveillance, pilots and helicopters to the Arizona Army National Guard's existing aviation resources. Those resources are currently insufficient relative to the challenges and length of Arizona's border with Mexico.
5. **National Guard Funding:** Continue advocating for additional federal funding for the National Guard. The Governor's role on the President's Council of Governors should aid in the effort to place a focus on border security and National Guard funding.
6. **National Guard Priorities:** Reprioritize and continue to shift JCNTF resources/personnel to the southern region for "Nighthawk" or sensor/camera room support of law enforcement (versus intelligence support). Emphasis for replacement personnel will be in southern Arizona, and any future growth in JCNTF will also be shifted to the southern region.
7. **Border Security Training:**
 - a. **Focus:** Issue a more formal order that, where appropriate, Arizona Army National Guard (AZ ARNG) units conduct required annual military training in southern Arizona, with specific missions and support to be determined/developed in coordination with the US Border Patrol, the JCNTF, and National Guard officials.
 - b. **Future Border Security Training Plans:** Reexamine all unit annual training plans for FY11 to identify any and all possibilities of having military police, infantry and engineer units conduct

Annual Training in southern Arizona in order to enhance border security while concurrently training on unit core competencies.

Support for Local Law Enforcement

1. **Border Security Enhancement Program:** Directed \$10 million of the Governor's discretionary federal stimulus monies allocated for local law enforcement to the new Border Security Enhancement Program (BSEP). The program will provide flexible grants designed to allow local and tribal law enforcement to propose ways to augment existing border security efforts.
2. **Interaction with Local Law Enforcement:** Governor Brewer will host a meeting with law enforcement personnel next week to provide details about the BSEP and answer any questions or concerns. She has also directed the Directors of the Departments of Public Safety and Homeland Security to regularly meet and interact with law enforcement officials serving along the border.
3. **Department of Public Safety Missions:** Directed the Arizona Department of Public Safety (DPS) Director Robert Halliday to:
 - a **Border County Support:** Begin developing plans in the event that Border Counties request additional law enforcement assistance from the State.
 - b **Federal Agency Partnership:** Engage with federal law enforcement to determine how DPS can more effectively partner in efforts to stop the smuggling of illegal drugs, weapons and aliens across the border. Governor Brewer is prepared to request deployment of DPS personnel to areas having the greatest need.

Support of Proposed Federal Actions by Senators Kyl and McCain

Governor Brewer is supportive, overall, of the border security plan announced recently by Arizona's United States Senators, and wholeheartedly endorses the proposal to increase Operation Stonegarden allocations for all southwestern Border States and the additional resources for federal Department of Homeland Security responsibilities.

Regarding the other components of the plan, she would offer the following perspectives:

1. Additional details on the deployment of the proposed force, the missions to be performed by the proposed 3,000 additional personnel, and the ways these additional military efforts would be coordinated with law enforcement entities will be useful in determining how the plan can complement existing efforts in Arizona.
2. Unlike Operation Jump Start from the past, Soldiers and Airmen should be in a position to support not just federal law enforcement agencies, but also state and local efforts.

As she has previously mentioned, the ability to sustain a force of any size requires federal funding. Governor Brewer remains very concerned about attempting any major deployment of troops using only State Funds.

###